IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4611 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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CHHASIA BHIKHABHAI M - Petitioner(s)
Versus
SECRETARY & 4 - Respondent(s)

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Appearance :
MR JV BHAIRAVIA for Petitioner(s) : 1,
MS MANISHA L. SHAH, AGP for Respondent(s) : 1 - 2.
MS NAYANA V PANCHAL for Respondent(s) : 3 - 4.
MS SEJAL K MANDAVIA for Respondent(s) : 5,
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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 16/03/2006

ORAL JUDGMENT

1.Learned advocate Shri Bhairavia for the petitioner stated that the petitioner is covered by the Government Resolutions dated 17.10.88 and 30.10.91 and the petitioner is, therefore, required to be granted the pay-scale and other benefits flowing from the said

Government Resolutions. He submitted that the case of the petitioner is suffering only because of non-forwarding of the proposal by respondent No.3. In the facts of the present case, the petitioner is permitted to make a representation to the State Government. If such a representation is made within a period of two weeks from today, the State Government shall examine all aspects of the matter and consider whether the case of the petitioner is covered under the said G.Rs. If necessary, details will be called for from the Panchayat Administration. After taking into account the material that may be placed by the petitioner before the Government and that may be collected by the Government from the Panchayat administration, the representation of the petitioner will be disposed of expeditiously and preferably within a period of three months from the date of receipt of such representation.

2. With these directions, the petition is disposed of with liberty to file fresh proceedings in case the decision of the Government is adverse to the petitioner. Rule is made absolute to the above extent with no order as to costs.

(Akil Kureshi, J.)

(vjn)